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Attorneys for Plaintiffs,
UMG RECORDINGS, INC.; VIRGIN
RECORDS AMERICA, INC.; LAFACE
RECORDS LLC; SONY BMG MUSIC
ENTERTAINMENT; INTERSCOPE
RECORDS; and CAPITOL RECORDS,
INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UMG RECORDINGS, INC., a Delaware
corporation; VIRGIN RECORDS AMERICA,
INC., a California corporation; LAFACE
RECORDS LLC, a Delaware limited liability
company; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership; INTERSCOPE RECORDS, a
California general partnership; and CAPITOL
RECORDS, INC., a Delaware corporation,
Plaintiffs,

v.

JOHN DOE,
Defendant.

CASE NO. C 07-03093 HRL

Honorable Howard R. Lloyd

***EX PARTE APPLICATION TO CONTINUE
CASE MANAGEMENT CONFERENCE
AND [PROPOSED] ORDER***

1 Plaintiffs respectfully request that the Court continue the case management conference
2 currently set for December 18, 2007, at 1:30 p.m. to March 18, 2008.

3 Plaintiffs filed the Complaint against Defendant John Doe ("Defendant") on June 13, 2007.
4 Also on June 13, 2007, Plaintiffs filed their *Ex Parte* Application for Leave to Take Immediate
5 Discovery seeking the Court's permission to serve a Rule 45 subpoena on University of California,
6 Berkeley ("UC Berkeley"), so that Plaintiffs could obtain information sufficient to identify
7 Defendant. On June 20, 2007, this Court issued its Order Granting Plaintiffs' *Ex Parte* Application
8 for Leave to Take Immediate Discovery authorizing Plaintiffs to serve a Rule 45 subpoena on UC
9 Berkeley. UC Berkeley responded to Plaintiffs' subpoena, providing Plaintiffs with identifying
10 information including Defendant's name and contact information.

11 In hopes of avoiding further litigation, Plaintiffs have since made numerous attempts to
12 contact Defendant regarding settlement. Defendant has not responded to any of these attempts.
13 Accordingly, Plaintiffs are in the process of preparing an amended complaint naming Defendant
14 personally.

15 Given these circumstances, and because there is not yet a named defendant in this case, a
16 case management conference is unnecessary at this time. Plaintiffs therefore request that the Court
17 continue the case management conference currently set for December 18, 2007, at 1:30 p.m. to
18 March 18, 2008.

19 Dated: December 5, 2007

HOLME ROBERTS & OWEN LLP

20 By: /s/ Matthew Franklin Jaksa

21 Matthew Franklin Jaksa

22 Attorney for Plaintiffs

23 UMG RECORDINGS, INC.; VIRGIN
24 RECORDS AMERICA, INC.; LAFACE
25 RECORDS LLC; SONY BMG MUSIC
26 ENTERTAINMENT; INTERSCOPE
27 RECORDS; and CAPITOL RECORDS,
28 INC.

ORDER

Good cause having been shown:

IT IS ORDERED that the case management conference currently set for December 18, 2007, at 1:30 p.m. be continued to March 18, 2008.

Dated: _____

By: _____
Honorable Howard R. Lloyd
United States Magistrate Judge